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Testimony on House Bill No. 4402

Good Morning. My name is Maggie Kolk. I am the President of The Arc/Newaygo County and I work as an advocate for individuals with disabilities in Kent County. I would like to take this opportunity to thank you for addressing this very important matter. Keeping all children safe in school is a goal of everyone. I have two children in our school system, one in special education and one in regular education.

Adding special education paraprofessionals to the criminal background check requirement is a good thing. However, I feel that only adding special education paraprofessionals is deceiving. In Fremont Public Schools this year 20 paraprofessionals are being laid-off. We have been told that the paraprofessionals with the most seniority will be allowed to bump other paraprofessionals who have less seniority out of their positions. This will change every paraprofessional in my daughter's special education classroom. Last year, the paraprofessional that had worked with her for six years had back surgery and returned to work with restrictions that did not allow her to work with my daughter. Fremont Public Schools force transferred an aide from the elementary school to the middle school to be my daughter's aide.

Paraprofessionals are hired as a paraprofessional. They are not classified for special education or regular education. After initial employment would there be a

criminal background check done before the transfer? The bill only requires it to be done upon initial employment.

Another concern I have about not checking all paraprofessionals is because my husband works for the Sheriff's Department. In our community there could be a very good chance that any criminal would have been in contact with my husband professionally. If the school did not check and an individual had a criminal background I believe that would put my children in danger, whether they are in regular education or special education. For that matter any child of a law enforcement officer, prosecutor, judge or correction officer could be at risk.

Allowing criminal background checks to be transferred from one school to another would not be a good practice. There is no time limit regarding the age of the background check. There could be significant changes in a background check in less than two years. Putting a time limit on how old a background check can be for transfer from one school district to another would help to reduce someone from falling between the cracks.

If the criminal background check comes back with a record and the district hires the individual, I feel it is imperative that parents are notified. Parents should be allowed to make the decision if their child stays in that district or not. There are many options open to parents now, such as school of choice, Christian schools, or home schooling. Parents have the right to know who their children are being exposed to and that their children are safe when they are sent to school.

I am sure you have read the Detroit News article from Sunday, April 24, 2005.

This shows that our current law is not working as it was meant to. You have an opportunity to make this law work better and protect our children.

This bill addresses mostly new hires in a district. However, some of the teachers the news article identifies were long time teachers. We need to make sure that all agencies work together to implement this bill appropriately. When a teacher makes a deal to reduce the charges or makes a deal to leave the teaching position they should lose their certification as part of the deal. Allowing them to keep their certification only passes along to another school the same dangers to other students. This is an unconscionable practice.

Thank you for your time and attention. I do hope that by working together we can help keep all our children safe at school.